

Press release: Government sets out new vision for legal support

- Post Implementation Review of legal aid reforms
- New Action Plan to transform legal support
- New Review of legal aid means tests

Measures announced in the Legal Support Action Plan respond directly to evidence heard during a wide-ranging, year-long review of the changes to legal aid made by the Coalition Government in 2013 under the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO). These reforms aimed to take the legal aid system back to its initial intention – to ensure public funding would remain sustainable by refocusing resources on those who most need it.

The new vision focuses on the individual and prioritises early intervention – giving people the breadth of support they need to solve problems quickly and easily, in many cases before they become entangled in the legal system or need legal representation.

An investment of up to £5million in developing innovative technologies and testing new methods of delivering support will make sure that people can access the right help in the best way for them, and that taxpayers' money is spent on what works best. An additional £3 million will also be invested to support those representing themselves through the court system.

Justice Minister Lucy Frazer, said:

Legal aid will continue to play an important role and we are committed to ensuring people can access the help they need into the future.

However, in seeking to bolster legal aid as a key part of helping people with a diverse range of problems, we are clear that there is much to do aside from legal aid, so we are emphasising the need for new technologies and new ideas to catch people early, before their problems escalate to the courtroom.

We have carefully considered the responses in this review and will expand the scope of legal aid to cover new areas of family law, launch a review of legal aid eligibility thresholds, invest up to £5 million in delivering innovative services and test new methods of support to help people resolve their problems quickly and easily, in the way that best works for them.

More than 100 groups and individuals from across the justice system were engaged during the Post Implementation Review (PIR) of the legal aid reforms. A key point of concern raised during this process was the ability of individuals to access legal aid for civil and family matters.

Today's Action Plan responds to the evidence heard and includes taking immediate action to ensure vulnerable people, particularly children, can access legal aid when it is needed by:

- Reviewing the thresholds for legal aid entitlement and wider eligibility criteria – this will ensure that in circumstances where it is necessary, legal aid continues being accessible to those who need it most;
- Amending the Exceptional Case Funding process to improve timeliness and making it easier to access – this will make it easier for people to access legal aid for cases which are not generally in scope, but where there is a risk of a breach of Human Rights and a lawyer is required; and
- Expanding the scope of legal aid to include legal aid for non-asylum immigration matters for separated migrant children; and to cover all Special Guardianship Orders in private family law cases; and removing the means test for those with parental responsibility to oppose placement or adoption orders in family law proceedings – responding to evidence from the PIR, we will ensure legal aid is available for these proceedings

Last year the Government spent £30 million a week (£1.6 billion per year) funding legal services for those who needed help and is committed to ensuring the system remains sustainable into the future. However, the review also confirmed that publicly funded representation is not always the best way to help people resolve their problems.

The Action Plan is the first step towards overhauling the legal support system; promoting early intervention to resolve problems before they escalate, drawing together the full and diverse range of legal support already being delivered and developing innovative services to help people access justice at the right time and in the right way for them.

This includes:

- Investing up to £5m in innovative forms of legal support, harnessing the power of the UK's thriving LawTech sector to modernise and expand the services on offer. Thorough testing of innovative new solutions will ensure funding is spent most effectively.
- Doubling funding for the Litigants in Person Support Strategy to £3m for the next two years, to ensure those representing themselves in court understand the process and are better supported through it;
- Ensuring early intervention by delivering a series of pilots to explore new ways of delivering legal support and enhanced services for people in need. This will include testing new approaches to signposting support early in the process; piloting and testing legal support hubs; and bringing together existing legal support services; and
- Piloting the expansion of legal aid to cover early legal advice in a

specific area of social welfare law. We will test the impact of early legal advice and use the evidence to inform our future consideration of early intervention.

Alongside the review, the Ministry of Justice has also published the final report into the review of legal aid provision for inquests. Following engagement with a wide range of stakeholders and a public call for evidence, changes will be made including:

- Ensuring that inquests are more sympathetic to the needs of bereaved families and that families are more able to participate, with all parties clear about what is expected of them throughout the process; and
- improving guidance and advice to increase understanding and awareness of the availability of legal aid for inquests.

We will be looking into further options for the funding of legal support at inquests where the state has state-funded representation. To do this we will work closely with other Government Departments.

Meanwhile, a review of criminal legal aid payment schemes has also already been announced to ensure criminal defence remains a sustainable and attractive career.

The Government is committed to continuing work with the sector and other government departments, building on the evidence heard over the review process, to ensure that legal support remains available for those who need it, both now and in a future more modern and efficient justice system.

Notes to editors:

1. In 2017/18, the government spent £1.6bn on funding legal services for those who needed it.
2. The [Legal Support Action Plan](#) is available online, alongside the full [PIR document](#).
3. The Post Implementation Review of changes made to controlling costs of civil litigation under [LASPO Part 2](#) is also available online